

U.S. Patent Application Serial No. **10/085,034**
Amendment filed November 28, 2006
Reply to OA dated September 6, 2006

REMARKS

Claims 1 and 3-18 are presented for examination. Claim 2 has been cancelled. Claims 1, 3, 10, and 11 have been amended in order to more particularly point out and distinctly claim the subject matter to which the applicants regard as their invention. In particular, claims 1, 10, and 11 have been amended to include the limitations of original claim 3. Additionally, claim 3 has been rewritten in independent form including all of the limitations of the base claim and any intervening claims, in accordance with the Office Action dated September 6, 2006.

The applicants respectfully submit that no new matter has been added. It is believed that this Amendment is fully responsive to the Office Action dated **September 6, 2006**.

Claims 1, 2, 5, 8, 10, 11, 14, and 17 are rejected under 35 U.S.C. 102(e) as being anticipated by Kostic, et al. (U.S. 6,826,409).

Claim 2 has been cancelled. Claims 5 and 8 have been amended to depend on amended claim 3.

The Office Action dated September 6, 2006, indicated that the subject matter contained in original claim 3 would be allowable provided that the claim be rewritten in independent form including the limitations of the base claim and any intervening claims. Claims 1, 10, and 11 have been amended to include the limitations of original claim 3.

In particular, **Kostic** discloses a method for reducing interference in a frequency hopping wireless communications system. However, **Kostic** fails to teach or suggest the present invention recited in amended claim 1, 10, 11, 14, and 17 because the reference does not disclose collecting line status information that includes information of the total number of packets and the number of error packets.

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It is respectfully requested that this rejection be reconsidered and withdrawn.

Claims 3, 4, 6, 7, 9, 12, 13, 15, 16, and 18 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

Claims 5 and 8 have been amended to depend on amended claim 3. Claims 4, 6, 7, 9, 12, 13, 15, 16, and 18 depend on amended claim 3.

In accordance with the Office Action's suggestion, claim 3 has been rewritten in independent form including all of the limitations of claim 2.

It is respectfully requested that this rejection be reconsidered and withdrawn.

In view of the aforementioned amendments and accompanying remarks, claims 1 and 3-18, as amended, are in condition for allowance, which action, at an early date, is requested.

If, for any reason, it is felt that this application is not now in condition for allowance, the Examiner is requested to contact the applicants undersigned attorney at the telephone number indicated below to arrange for an interview to expedite the disposition of this case.

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In the event that this paper is not timely filed, the applicants respectfully petition for an appropriate extension of time. Please charge any fees for such an extension of time and any other fees which may be due with respect to this paper, to Deposit Account No. 01-2340.

Respectfully submitted,

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